

Coast Guard, DHS

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or crab fisheries of Oregon, Washington, or Alaska, the construction of which is contracted for prior to December 1, 1969, and vessels of not more than 5000 gross tons used in the processing and assembling of fishery products in the fisheries of the States of Oregon, Washington, and Alaska, the construction of which is contracted for prior to May 31, 1976.

[CGD 75-105, 41 FR 17910, Apr. 29, 1976]

§ 105.05-5 Types of vessels.

(a) The only types of commercial fishing vessels to which the provisions of this part apply are self-propelled manned vessels with one of the following:

(1) Permanently installed dispensing tanks or containers on open decks.

(2) Permanently installed dispensing tanks or containers located below deck or in closed compartments.

(3) Temporary dispensing tanks or containers installed on open decks.

[CGD 75-105, 41 FR 17910, Apr. 29, 1976]

§ 105.05-10 Intent of regulations.

(a) The intent of the regulations in this part is to prescribe special requirements for commercial fishing vessels which are otherwise exempt from requirements of vessel inspection, but by reason of occasionally engaging in the service of carrying on board and dispensing liquid inflammable and combustible cargo in bulk are subject to certain requirements of 46 U.S.C. section 3702.

(b) The application of the regulations governing petroleum products in bulk is limited to that portion of the vessel involved in the storage, carriage, and handling of such products. This shall include, but shall not be limited to:

(1) Permanently or temporarily installed tanks or containers;

(2) Compartments, areas or places where such tanks or containers are placed;

(3) Fuel filling systems;

(4) Fuel venting systems;

(5) Fuel piping and pumping systems.

(c) The regulations in this part also state the manning, crew requirements, and officers for those vessels when required by other specific provisions of law.

(1) Vessels carrying flammable or combustible liquids in bulk are required by 46 U.S.C. 3702, to have aboard certificated tankermen.

(2) Vessels of 200 gross tons and upward and operating on the high seas are subject to the Officers' Competency Certificate Convention, 1936, and 46 U.S.C. 8304, regarding licensed masters, mates, chief engineers, and assistant engineers.

[CGFR 69-53, 34 FR July 4, 1969, as amended by USCG-1999-6216, 64 FR 53226, Oct. 1, 1999]

Subpart 105.10—Definition of Terms Used in This Part

§ 105.10-5 Approved.

(a) The term *approved* means approved by the Commandant, U.S. Coast Guard, unless otherwise stated.

§ 105.10-10 Combustible liquid.

(a) The term *combustible liquid* means any liquid having a flashpoint above 80° F. (as determined from an open cup tester, as used for test of burning oils). In the regulations of this part, combustible liquids are referred to by grades, as follows:

(1) *Grade D.* Any combustible liquid having a flashpoint below 150° F. and above 80° F.

(2) *Grade E.* Any combustible liquid having a flashpoint of 150° F. or above.

[CGFR 69-53, 34 FR 11265, July 4, 1969, as amended by CGD 73-96, 42 FR 49025, Sept. 26, 1977]

§ 105.10-15 Flammable liquid.

(a) The term *flammable liquid* means any liquid which gives off flammable vapors (as determined by flashpoint from an open cup tester, as used for test of burning oils) at or below a temperature of 80 °F. Flammable liquids are referred to by grades as follows:

(1) *Grade A.* Any flammable liquid having a Reid¹ vapor pressure of 14 pounds or more.

¹American Society of Testing Materials Standard D 323 (incorporated by reference, see § 105.01-3) (most recent revision), Method of Test for Vapor Pressure of Petroleum Products (Reid Method).

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(2) *Grade B.* Any flammable liquid having a Reid¹ vapor pressure under 14 pounds and over 8½ pounds.

(3) *Grade C.* Any flammable liquid having a Reid¹ vapor pressure of 8½ pounds or less and a flashpoint of 80° F. or below.

[CGFR 69-53, 34 FR 11265, July 4, 1969, as amended by CGD 73-96, 42 FR 49025, Sept. 26, 1977; USCG-2000-7790, 65 FR 58461, Sept. 29, 2000]

§ 105.10-20 Pressure vacuum relief valve.

(a) The term *pressure vacuum relief valve* means any device or assembly of a mechanical, liquid, weight, or other type used for the automatic regulation of pressure or vacuum in enclosed places.

§ 105.10-25 Commercial fishing vessel.

(a) The term *commercial fishing vessel* includes fishing vessels, cannery tenders, fishing tender vessels, and vessels processing or assembling fishery products.

[CGD 75-105, 41 FR 17910, Apr. 29, 1976]

Subpart 105.15—Inspection Required

§ 105.15-1 General.

(a) Before a commercial fishing vessel may be used to transport combustible or flammable liquids in bulk in limited quantities for the purpose of dispensing those liquids, the vessel shall be inspected by the Coast Guard to determine that the vessel is in substantial compliance with the requirements in this part.

(b) A vessel with permanently installed cargo tanks shall be inspected biennially, or more frequently if necessary, by the Coast Guard to determine that the vessel is maintained in substantial compliance with the requirements in this part.

(c) A vessel with temporarily installed cargo tanks or containers shall be inspected annually, or more frequently if necessary, by the Coast Guard.

(d) Vessels while laid up or dismantled or out of commission are exempt from any or all inspections required by law or regulations in this part.

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§ 105.15-5 Authority of marine inspectors.

(a) Marine inspectors may at any time lawfully inspect any vessel subject to the requirements in this part.

§ 105.15-10 Application for inspection.

(a) Prior to the commencement of the construction of a new vessel, or a conversion of a vessel to a commercial fishing vessel, intended for transporting combustible or flammable liquids in bulk in limited quantities for the purpose of dispensing those liquids, the owners, master, or agent shall submit an application for inspection and a letter of compliance to an Officer in Charge, Marine Inspection, at any Marine Inspection Office, U.S. Coast Guard.

(b) Application for inspection and renewal of letter of compliance of a vessel shall be made in writing by the master, owner, or agent to an Officer in Charge, Marine Inspection, at any Marine Inspection Office, U.S. Coast Guard.

(c) The application for inspection and letter of compliance shall be on Form CG-3752 or in letter form and set forth the following information:

- (1) Vessel's name;
- (2) Nature of employment and route or areas in which to be operated;
- (3) Date and place where the vessel may be inspected;
- (4) Date and place where the vessel was last inspected (if inspected); and,
- (5) That application for inspection has not been made to any other Officer in Charge, Marine Inspection.

§ 105.15-15 Letter of compliance.

(a) When a vessel has been inspected and found to be in substantial compliance with the requirements of this part, a "letter of compliance" shall be issued to the vessel by the Officer in Charge, Marine Inspection.

(b) The letter of compliance shall permit the presence on board of liquid flammable or combustible cargoes in bulk, and describe the conditions governing the transportation and dispensing of such cargoes.

(c) The letter of compliance shall state the maximum amount of liquid flammable or combustible cargo in bulk to be carried on board.